



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
P.O. BOX 1450  
ALEXANDRIA, VA 22313-1450  
www.uspto.gov

FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER  
LLP  
901 NEW YORK AVENUE, NW  
WASHINGTON DC 20001-4413

In re Application of :  
Wang, et al. : DECISION ON APPLICATION  
Application No. 09/804,625 : FOR PATENT TERM ADJUSTMENT  
Filed: March 09, 2001 :  
Atty. Dkt. No: 08702.0039-02000 :

This is a decision on the "APPLICATION FOR PATENT TERM  
ADJUSTMENT 37 CFR § 1.705(b)," filed March 12, 2007.

The application for patent term adjustment ("PTA") under 37 CFR  
1.705(b) is hereby GRANTED.

Applicants argue that the patent term adjustment accorded the  
instant application was improperly reduced 98 days.

The correct patent term adjustment (PTA) at the time of the  
allowance is 98 days. The Office will adjust the PAIR screen to  
reflect that the PTA determination at the time of mailing of the  
instant letter reflects an adjustment of 98 days. A copy of the  
updated PAIR screen showing the correct determination is  
enclosed.

Applicants argue that the application is entitled to an  
adjustment of 340 days in connection with the mailing of the  
restriction requirement on April 14, 2003, rather than 278 days  
as previously accorded.

A review of the record reveals that applicants are correct. The  
application is entitled to an adjustment of 340 days in  
accordance with 37 CFR 1.702(a)(1) in connection with the  
mailing of the restriction requirement. The adjustment began May  
10, 2002, the day after the date that is 14 months after the  
date that the application was filed, and ended April 14, 2003,  
the date that the restriction requirement was mailed. See, 37  
CFR 1.703(a)(1).

Applicants have not contested the adjustment of 21 days accorded  
under 37 CFR 1.702(a)(2) in connection with the mailing of the  
non-final Office action on November 3, 2003 nor have applicants

contested any of the reductions accorded for applicants' failure to engage in reasonable efforts to conclude prosecution.


Accordingly, at the time of allowance, the application is entitled to an adjustment of 98 days (the adjustment totaling 361 days having been reduced 263 days), as argued by applicants.

The Office hereby acknowledges receipt of the required \$200.00 patent term adjustment application fee.

The patent term adjustment indicated in the patent will include any additional patent term accrued pursuant to §§ 1.702(a)(4) and 1.702(b).

The application file is being forwarded to the Office of Patent Publication for issuance of a patent.

Telephone inquiries specific to this matter should be directed to Petitions Attorney Alesia M. Brown at (571) 272-3205.

  
Kery Fries  
Senior Legal Advisor  
Office of Patent Legal Administration  
Office of Deputy Commissioner  
for Patent Examination Policy

Enclosure: Copy of Adjustment PAIR Calculation

Day : Monday  
Date : 8/27/2007**PALM INTRANET**

Time: 14:59:33

**PTA Calculations for Application: 09/804625**

Application Filing Date:	03/09/2001	PTO Delay (PTO):	299
Issue Date of Patent:		Three Years:	0
Pre-Issue Petitions:	0	Applicant Delay (APPL):	263
Post-Issue Petitions:	0	Total PTA (days):	98
PTO Delay Adjustment:	62		

**File Contents History**

Number	Date	Contents Description	PTO	APPL	START
85	08/27/2007	ADJUSTMENT OF PTA CALCULATION BY PTO	62		
76	01/24/2007	MAIL NOTICE OF ALLOWANCE			
75	01/22/2007	ISSUE REVISION COMPLETED			
74	01/22/2007	NOTICE OF ALLOWANCE DATA VERIFICATION COMPLETED			
73	01/22/2007	CASE DOCKETED TO EXAMINER IN GAU			
72	01/22/2007	NOTICE OF ALLOWABILITY			
71	11/20/2006	PARALEGAL TD ACCEPTED			
70	11/19/2006	DATE FORWARDED TO EXAMINER			
69	11/08/2006	RESPONSE AFTER NON-FINAL ACTION		14	67
68	11/08/2006	REQUEST FOR EXTENSION OF TIME - GRANTED			
67	07/25/2006	MAIL NON-FINAL REJECTION			
66	07/24/2006	NON-FINAL REJECTION			
65	05/19/2006	DATE FORWARDED TO EXAMINER			
64	05/08/2006	RESPONSE AFTER NON-FINAL ACTION		1	63
63	02/07/2006	MAIL NON-FINAL REJECTION			
62	02/06/2006	NON-FINAL REJECTION			
61	11/16/2005	AFFIDAVIT(S) (RULE 131 OR 132) OR EXHIBIT(S) RECEIVED			
60	11/28/2005	DATE FORWARDED TO EXAMINER			
59	11/16/2005	AMENDMENT SUBMITTED/ENTERED WITH FILING OF CPA/RCE			
58	11/28/2005	DATE FORWARDED TO EXAMINER			
57	11/16/2005	REQUEST FOR CONTINUED EXAMINATION (RCE)		91	49
56	11/28/2005	DISPOSAL FOR A RCE/CPA/129 (EXPRESS ABANDONMENT IF CPA)			

55	11/16/2005	REQUEST FOR EXTENSION OF TIME - GRANTED			
54	11/16/2005	WORKFLOW - REQUEST FOR RCE - BEGIN			
53	09/20/2005	MAIL ADVISORY ACTION (PTOL - 303)			
52	09/16/2005	ADVISORY ACTION (PTOL-303)			
51	08/11/2005	DATE FORWARDED TO EXAMINER			
50	08/02/2005	AMENDMENT AFTER FINAL REJECTION			
49	05/17/2005	MAIL FINAL REJECTION (PTOL - 326)			
48	05/16/2005	FINAL REJECTION			
47	03/30/2005	REFERENCE CAPTURE ON IDS			
46	03/30/2005	INFORMATION DISCLOSURE STATEMENT (IDS) FILED		36	43
45	04/08/2005	CORRESPONDENCE ADDRESS CHANGE			
44	03/08/2005	DATE FORWARDED TO EXAMINER			
43	02/22/2005	RESPONSE AFTER NON-FINAL ACTION		92	39
42	03/07/2005	CRF IS GOOD TECHNICALLY / ENTERED INTO DATABASE			
41	02/04/2005	MAIL NOTICE OF INFORMAL OR NON-RESPONSIVE AMENDMENT			
40	12/02/2004	DATE FORWARDED TO EXAMINER			
39.1	11/22/2004	INFORMAL OR NON-RESPONSIVE AMENDMENT AFTER EXAMINER ACTION			
39	11/22/2004	RESPONSE AFTER NON-FINAL ACTION			
38	11/22/2004	WORKFLOW INCOMING AMENDMENT IFW			
37	11/19/2004	MAIL NON-FINAL REJECTION			
36	11/19/2004	NON-FINAL REJECTION			
35	09/18/2004	DATE FORWARDED TO EXAMINER			
34	09/09/2004	RESPONSE AFTER NON-FINAL ACTION		23	30
33	09/09/2004	REQUEST FOR EXTENSION OF TIME - GRANTED			
32	09/09/2004	WORKFLOW INCOMING AMENDMENT IFW			
31	05/17/2004	MAIL NOTIFICATION OF TERMINAL DISCLAIMER - ACCEPTED			
30	05/17/2004	MAIL NON-FINAL REJECTION			
29	05/17/2004	NON-FINAL REJECTION			
28	03/11/2004	IFW AMENDED CASE PROCESSING COMPLETE			
27	03/11/2004	DATE FORWARDED TO EXAMINER			
26	02/09/2004	RESPONSE AFTER NON-FINAL ACTION		6	22
25	02/09/2004	AFFIDAVIT(S) (RULE 131 OR 132) OR EXHIBIT(S)			

		RECEIVED			
24	02/09/2004	TERMINAL DISCLAIMER FILED			
23	03/09/2004	NOTIFICATION OF TERMINAL DISCLAIMER - ACCEPTED			
22	11/03/2003	MAIL NON-FINAL REJECTION	21		19
21	11/03/2003	NON-FINAL REJECTION			
20	08/28/2003	DATE FORWARDED TO EXAMINER			
19	06/13/2003	RESPONSE TO ELECTION / RESTRICTION FILED			
18	06/13/2003	REQUEST FOR EXTENSION OF TIME - GRANTED			
17	04/14/2003	MAIL SUPPLEMENTAL RESTRICTION / ELECTION REQUIREMENT			
16	04/14/2003	SUPPLEMENTAL RESTRICTION			
15	04/14/2003	CORRESPONDENCE ADDRESS CHANGE			
14	02/27/2003	INFORMATION DISCLOSURE STATEMENT (IDS) FILED			
13	02/11/2003	MAIL RESTRICTION REQUIREMENT	278		-1
12	02/10/2003	REQUIREMENT FOR RESTRICTION / ELECTION			
11	03/09/2001	INFORMATION DISCLOSURE STATEMENT (IDS) FILED			
10	03/09/2001	PRELIMINARY AMENDMENT			
9	02/25/2002	CASE DOCKETED TO EXAMINER IN GAU			
8	02/05/2002	APPLICATION DISPATCHED FROM OIPE			
7	01/15/2002	APPLICATION IS NOW COMPLETE			
6	01/14/2002	CRF IS GOOD TECHNICALLY / ENTERED INTO DATABASE			
5	06/12/2001	CORRESPONDENCE ADDRESS CHANGE			
4	06/12/2001	CORRESPONDENCE ADDRESS CHANGE			
3	05/02/2001	IFW SCAN & PACR AUTO SECURITY REVIEW			
2	03/28/2001	IFW SCAN & PACR AUTO SECURITY REVIEW			
1	03/09/2001	INITIAL EXAM TEAM NN			

Search Another: Application#

#### **EXPLANATION OF PTA CALCULATION**

#### **EXPLANATION OF PTE CALCULATION**

To go back use Back button on your browser toolbar.

Back to [PALM](#) | [ASSIGNMENT](#) | [OASIS](#) | [Home page](#)